

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY RABAT PRIORITY

UNCLAS STATE 074569

TAGS: ETRD, MO

SUBJECT: RECIPROCAL EXEMPTION FROM CUSTOMS DUTIES
ON AIRCRAFT SUPPLIES

1. SECTIONS 309 AND 317 OF THE TARIFF ACT OF 1930, AS AMENDED, PROVIDE THAT AIRCRAFT OF FOREIGN REGISTRY MAY RECEIVE EXEMPTION FROM PAYMENT OF UNITED STATES CUSTOMS DUTIES, AND INTERNAL REVENUE TAXES IMPOSED BY REASON OF IMPORTATION, ON SUPPLIES IMPORTED FOR USE IN THEIR INTERNATIONAL OPERATIONS TO AND FROM THE UNITED STATES. EXEMPTION IS GRANTED ON THE BASIS OF A FINDING BY THE SECRETARY OF COMMERCE THAT THE FOREIGN COUNTRY IN QUESTION ACCORDS "SUBSTANTIALLY RECIPROCAL PRIVILEGES" TO AIRCRAFT OF UNITED STATES REGISTRY.

2. AIRCRAFT SUPPLIES INCLUDE FUELS AND LUBRICANTS, COMMISSARY AND OTHER CONSUMABLE SUPPLIES, SPARE PARTS AND GROUND EQUIPMENT.

3. ON FEBRUARY 9, 1970, THE AIR TRANSPORT AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF MOROCCO ENTERED INTO FORCE. ARTICLE 7 SECTION B PROVIDES, IN PART, THAT: EACH SHALL EXEMPT THE DESIGNATED AIRLINE OR AIRLINES OF THE OTHER CONTRACTING PARTY TO THE FULLEST EXTENT POSSIBLE UNDER UNCLASSIFIED

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ITS NATIONAL LAW FROM IMPORT RESTRICTIONS, CUSTOMS DUTIES

EXCISE TAXES, INSPECTIONS FEES, AND OTHER NATIONAL DUTIES

AND CHARGES ON FUEL, LUBRICANTS, CONSUMABLE TECHNICAL SUPPLIES, SPARE PARTS INCLUDING ENGINES, REGULAR EQUIPMENT, GROUND EQUIPMENT, STORES, AND OTHER ITEMS INTENDED FOR USE SOLELY IN CONNECTION WITH THE OPERATION OR SERVICING OF AIRCRAFT OF THE AIRLINES OF SUCH OTHER CONTRACTING PARTY IN INTERNATIONAL AIR SERVICE."

4. TO PROVIDE A BASIS FOR AN APPROPRIATE FINDING, THE EMBASSY IS REQUESTED TO ASCERTAIN THE CUSTOMS TREATMENT ACCORDED TO UNITED STATES AIRLINES SERVING MOROCCO WITH RESPECT TO EXEMPTION FROM PAYMENT OF CUSTOMS DUTIES AND IMPORT-RELATED TAXES (E.G., COMPENSATORY IMPORT TAXES, OR THE LIKE) ON IMPORTED AIRCRAFT SUPPLIES REFERRED TO ABOVE.

5. CITATION TO RELEVANT STATUTES OR REGULATIONS WOULD BE APPRECIATED, IF READILY AVAILABLE. IN ADDITION, IT WOULD BE HELPFUL TO HAVE ANY INFORMATION THE LOCAL OFFICES OF U.S. FLAG AIR CARRIERS (PAN AM/TWA) MAY BE ABLE TO FURNISH AS TO THE CUSTOMS TREATMENT THEY ACTUALLY RECEIVE WITH RESPECT TO IMPORTED AIRCRAFT SUPPLIES.

6. ROYAL AIR MAROC INAUGURATES SERVICE TO THE UNITED STATES APRIL 1, 1975. THEREFORE THE EMBASSY IS REQUESTED TO EXPEDITE ITS REPLY. KISSINGER

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